Violation Tracker Overview

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The Violation Tracker is a resource for EPA to use in discussions with states, U.S. territories, and tribes about facilities with significant noncompliance or high priority violations. The Violation Tracker is accessible in ECHO Gov, the government-only part of the Enforcement and Compliance History Online (ECHO) website (https://echo.epa.gov/oversight/violation-tracker), and has separate search functionality for the Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act (RCRA). The Violation Tracker will not generate a discrete list of facilities. Rather, different lists of facilities will be returned based upon the input specified by the user in his/her search. The key features of each statute-specific Violation Tracker are described below.

CWA Violation Tracker

The CWA Violation Tracker is designed to identify facilities with repeated Significant Noncompliance (SNC) and no formal enforcement. The default search criteria are limited to Major facilities with SNC, but the CWA Violation Tracker also offers the flexibility to search for Category 1 violations at non-majors, as well as other CWA violations not currently screened for SNC. Performing a search with the default options selected will identify facilities that meet any of the following criteria:

- Effluent violations in consecutive quarters triggering SNC at the facility level with no formal enforcement action
- Non-effluent violations in consecutive quarters triggering SNC at the facility level with no formal enforcement action
- Pronouced repeating patterns of effluent violations with no formal enforcement

The above criteria are calculated over a rolling time period that counts backwards from the most recently completed quarter. The default time period is 36 months, but users can set the rolling time period to be anywhere from 6 months to 60 months, in 6 month increments. Whether a facility has a compliance schedule and whether a facility is in compliance with the schedule are additional criteria a user may set. Users may also disable any of the default criteria if he/she desires to perform a less restrictive search or focus on a specific concern.

Beyond changing the facility designation, users will also have the option to customize their results by searching for facilities based on:

- EPA Region
- State
- Federal Facility
- In Indian Country
- SIC Code
- Permit Status
- Permit Type
- Permit Components
- Permit Expiration Date
- Time Since Last Inspection

- Pollutant Category
- Other Clean Water Act Noncompliance

RCRA Violation Tracker

The primary function of the RCRA Violation Tracker is to provide a tool for EPA Regions to identify Significant Non-Compliers (SNC) that have not received an appropriate enforcement response as set forth in the Hazardous Waste Civil Enforcement Response Policy. The default search identifies sites that have been in SNC for more than 360 days[1] and have received no formal enforcement action, but users also have the options to change the time period or search for Secondary Violators.

Users searching for SNCs may select from the following timeframes for SNC duration without formal enforcement:

- Unaddressed Greater than 360 days (default)
- All
- All Addressed
- All Unaddressed
- Unaddressed Greater than 150 days
- Unaddressed Greater than 240 days
- Unaddressed Greater than 2 years

Users may also search for current Secondary Violators without a SNC evaluation dated on or after the violation designation. As with SNC, the duration of violations may be adjusted. In the future, a Historic SNC feature will be added allowing users to find past SNCs in any given month or FY.

Users also may make additional selections to refine a search, such as:

- EPA Region
- State
- Federal Facility
- In Indian Country
- Facility Designation (Any, TSDF, LQG, SQG, CEG, Transporter, Other)
- Months in Violations
- Number of Current Violations

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[1] The default search of 360 days for the RCRA Violation Tracker references Day 360 as identified in the *2003 Hazardous Waste Civil Enforcement Response Policy (ERP)* and *RCRAInfo Data Appendix for the 2003 ERP*.

CAA Violation Tracker

The CAA Violation Tracker is designed to assist EPA Regions and partner enforcement agencies in identifying facilities with HPVs where inter-agency communication is merited. The default search criteria for the CAA Violation Tracker returns case file information for facilities where an HPV is unaddressed, more than 180 days[2] have elapsed since Day Zero, and the HPV violation type is not a historic violation imported from AFS to ICIS-Air. Beyond the default search criteria, users can specify that they are interested in all unresolved HPVs, or HPVs with a given status that is not resolved. Users can also change the elapsed time since Day Zero, include HPVs imported from AFS (historic HPV), specify the air program or air pollutant for the case file, and identify case files where no consultation date has been reported.

In addition to search criteria that are specific to the case file information, users may modify the search by selection options for the following criteria.

- Federal Facility
- In Indian Country
- Time Since Last Inspection
- CMS Category Code
- Facility Classification
- Operating Status
- Non-Attainment Area for Any Pollutant
- Areas for Additional Environmental Justice Review

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[2] As identified in the *Revised Timely and Appropriate (T and A) Enforcement Response to High Priority Violations (HPVs) Policy – 2014*, partner enforcement agencies should attempt to address within 180 days of Day Zero.